

Senate Amendment 3495

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1 1 Amend the House amendment, S=3436, to Senate File
1 2 551, as amended, passed, and reprinted by the Senate,
1 3 as follows:
1 4 #1. Page 2, by inserting after line 16 the
1 5 following:
1 6 <#____. Page 20, by inserting after line 27 the
1 7 following:
1 8 <DIVISION ____
1 9 E=85 GASOLINE
1 10 Sec. ____ Section 455G.31, Code 2007, is amended
1 11 to read as follows:
1 12 455G.31 E=85 GASOLINE STORAGE AND DISPENSING
1 13 INFRASTRUCTURE.
1 14 1. As used in this section, unless the context
1 15 otherwise requires:
1 16 a. "E=85 gasoline", "ethanol blended gasoline",
1 17 and "retail dealer" mean the same as defined in
1 18 section 214A.1.
1 19 b. "Gasoline storage and dispensing
1 20 infrastructure" means any storage tank located below
1 21 ground or above ground and any associated equipment
1 22 including but not limited to a pipe, hose, connection,
1 23 fitting seal, or pump, which is used to store,
1 24 measure, and dispense gasoline by a retail dealer.
1 25 2. A retail dealer may use gasoline storage and
1 26 dispensing infrastructure to store and dispense E=85
1 27 gasoline if all of the following apply:
1 28 a. For gasoline storage and dispensing
1 29 infrastructure other than the dispenser, the
1 30 department of natural resources under this chapter or
1 31 the state fire marshal under chapter 101 must
1 32 determine that it is compatible with E=85 gasoline.
1 33 If the compatibility of the thread sealant or adhesive
1 34 is undetermined, the thread sealant or adhesive may
1 35 continue to be used if precision line testing is
1 36 conducted annually and if an analysis to determine
1 37 compatibility of the thread sealant or adhesive is
1 38 completed by July 1, 2011.
1 39 b. For a dispenser, the manufacturer must state
1 40 all of the following shall apply:
1 41 (1) That the dispenser is, in the opinion of the
1 42 manufacturer, not incompatible with E=85 gasoline.
1 43 The manufacturer must state that the dispenser is
1 44 listed by an independent testing laboratory as
1 45 compatible with ethanol blended gasoline.
1 46 (2) The manufacturer has initiated the process of
1 47 applying to an independent testing laboratory for
1 48 listing of the equipment for use in dispensing E=85
1 49 gasoline.
1 50 A manufacturer's statement must include a written
2 1 statement, with reference to a particular type and
2 2 model of equipment for use in dispensing E=85
2 3 gasoline, signed by a responsible official on behalf
2 4 of the manufacturer, provided either to the retail
2 5 dealer using the gasoline storage and dispensing
2 6 infrastructure or to the department of natural
2 7 resources or the state fire marshal. If the written
2 8 statement is provided to a retail dealer, the
2 9 statement shall be retained in the files on the
2 10 premises of the retail dealer and shall be available
2 11 to personnel of the department of natural resources or
2 12 the state fire marshal upon request. The owner or
2 13 operator or a person authorized by the owner or
2 14 operator must visually inspect the dispenser and the
2 15 dispenser sump daily for leaks and equipment failure
2 16 and maintain a record of such inspection for at least
2 17 one year after the inspection. If a leak is detected,
2 18 the department of natural resources shall be notified
2 19 pursuant to section 455B.386.
2 20 If a commercially available dispenser is listed as
2 21 compatible for use with E=85 gasoline by an
2 22 independent testing laboratory, this paragraph "b"
2 23 shall not apply to new dispensers installed after the
2 24 commercial availability of such a certified dispenser.

2 25 3. This section is repealed July 1, 2009.>>
2 26 [#2.](#) By renumbering as necessary.
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2 29 _____
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